

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANDREW TORO, *On Behalf of Himself and All
Others Similarly Situated*,

Plaintiff,

-against-

THE FRAGRANCE OUTLET, INC.,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/24/2023

1:23-cv-3275 (MKV)

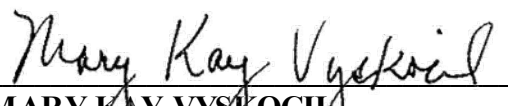
ORDER OF DISMISSAL

MARY KAY VYSKOCIL, United States District Judge:

The Court has been informed by the plaintiff that the parties have reached a settlement in principle [ECF No. 6]. Accordingly, IT IS HEREBY ORDERED that the above-captioned action is discontinued without costs to any party and without prejudice to restoring the action to this Court's calendar if the application to restore is made by August 24, 2023. If no such application is made by that date, today's dismissal of the action is with prejudice. *See Muze, Inc. v. Digital On Demand, Inc.*, 356 F.3d 492, 494 n.1 (2d Cir. 2004). All other dates and deadlines are adjourned *sine die*.

SO ORDERED.

Date: July 24, 2023
New York, NY


MARY KAY VYSKOCIL
United States District Judge